

AMENDMENT UNDER 37 C.F.R. § 1.111
U. S. Appln.: 10/721,099
Attorney Docket No.: Q78646

REMARKS

Applicants thank the Examiner for allowing claims 1-16.

Claim 17 has been rejected only under 35 U.S.C. § 101 on the ground that it allegedly fails to comply with the USPTO's present guidelines for claiming computer related inventions. Specifically, according to the present USPTO guidelines, claims which suggest an algorithm must produce a tangible, useful, and concrete result. Claims 18-22 are rejected as being dependent on the rejected claim 17.

Applicant's representative thanks the Examiner for the courtesy and productive telephone interviews, held on December 27, 2006 and January 23, 2007 in this application. During those interviews, Applicants proposed amending claim 17 to recite "outputting a decoded error correcting code" to satisfy the tangible, useful, and concrete requirement now being imposed by the USPTO. The Examiner indicated that that Amendment appeared to satisfy section 101 as presently being interpreted by the USPTO, and would consider such an Amendment upon receipt. Applicant is therefore so amending claim 17.

Upon allowance of claim 17, claims 18-22 would also be allowable. It is therefore submitted that given the previous allowance of claims 1-16 and the amendment to claim 17, all claims presently in the application, particularly claims 1-22 are in condition for allowance, and that this application should therefore be passed to issue at the earliest possible time.

If for any reason the Examiner finds the application other than in condition for allowance he is respectfully requested to call the undersigned at attorney at the Washington DC telephone

AMENDMENT UNDER 37 C.F.R. § 1.111
U. S. Appln.: 10/721,099
Attorney Docket No.: Q78646

no. on the listed below to discuss the steps necessary or place the application in condition for allowance.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

/Howard L. Bernstein/
Howard L. Bernstein
Registration No. 25,663



Date: February 20, 2007